

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PICTURE PATENTS, LLC,)	
)	
Plaintiff,)	
)	Civil Case No. 07cv5567 (JGK) (HBP)
v.)	
)	
)	PLAINTIFF PICTURE PATENTS LLC’S
AEROPOSTALE, INC., DICK’S)	ANSWER TO DEFENDANT
SPORTING GOODS, INC., CHARLOTTE)	BUY.COM INC.’S COUNTERCLAIMS
RUSSE, INC., GSI COMMERCE)	TO PLAINTIFF’S THIRD AMENDED
SOLUTIONS, INC., FOGDOG, INC., GSI)	COMPLAINT
COMMERCE, INC., NATIONAL)	
BASKETBALL ASSOCIATION, INC.,)	
NBA PROPERTIES, INC., NBA MEDIA)	
VENTURES, LLC, MAJOR LEAGUE)	
BASEBALL PROPERTIES, INC., MLB)	
ADVANCED MEDIA, L.P., LINENS ‘N)	
THINGS, INC., TWEETER NEWCO, LLC,)	
TWEETER OPCO, LLC, BUY.COM, INC.)	
)	
Defendants.)	
)	

**PLAINTIFF PICTURE PATENTS, LLC’S ANSWER TO DEFENDANT BUY.COM’S
COUNTERCLAIMS TO PLAINTIFF’S THIRD AMENDED COMPLAINT**

Plaintiff Picture Patents, LLC (hereinafter referred to as “Picture Patents”), by and through undersigned counsel, hereby answers the Counterclaims of Defendant Buy.com, Inc. (hereinafter referred to as “Buy.com”) to the Plaintiff’s Third Amended Complaint as follows:

COUNTERCLAIMS

50. Answering the allegations in paragraph “50” of Buy.com’s Counterclaim, Picture Patents denies knowledge or information sufficient to form a belief as to the truth of whether

Buy.com is a corporation organized and existing under the laws of the State of Delaware with its principal place of business at 85 Enterprise, Suite 100, Aliso Viejo, California 92656.

51. Picture Patents admits the allegations of paragraph “51” of Buy.com’s Counterclaim.

52. Answering the allegations in paragraph “52” of Buy.com’s Counterclaim, Picture Patents admits that this Court has subject matter jurisdiction over these counterclaims under 28 U.S.C. §§ 1331, 1338, as they arise under an act of Congress relating to patents, 35 U.S.C. §§ 101 *et seq.* Picture Patents denies the remaining allegations contained in paragraph “52” of Buy.com’s Counterclaim.

53. Answering the allegations in paragraph “53” of Buy.com’s Counterclaim, Picture Patents admits that U.S. Patent No. 6,278,455 (the “’455 Patent”) issued on August 21, 2001 by the United States Patent and Trademark Office. Picture Patents admits that it owns all rights and interest in the ’455 Patent and the right to recover for past infringement.

54. Answering the allegations in paragraph “54” of Buy.com’s Counterclaim, Picture Patents admits that it has asserted that Buy.com infringes the ’455 patent. Picture Patent admits that an actual controversy exists between Picture Patents and Buy.com concerning Buy.com’s infringement of the ’455 Patent. Picture Patents denies the remaining allegations contained in paragraph “54” of Buy.com’s Counterclaim.

55. Picture Patents denies each and every allegation contained in paragraph “55” of Buy.com’s Counterclaim.

56. Picture Patents denies each and every allegation contained in paragraph “56” of Buy.com’s Counterclaim.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Picture Patents respectfully requests that judgment be entered in its favor, dismissing Buy.com's Counterclaims in their entirety, together with an award to Picture Patents of all the costs incurred by the Plaintiff in defense of this action, and granting all relief requested by Plaintiff in the Second Amended Complaint and such other and further relief the Court may deem just and proper.

Respectfully submitted this 23rd day of April, 2008.

/s/Thomas J. Parker

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